

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION**

In re:

Yashica L. Spellman

Debtor.

:
:
:
: **Case No.: 16-27238**
: **Chapter 13**
: **Judge Carol A. Doyle**
: * * * * *
:

CERTIFICATE OF NON-COMPLIANCE

Now comes Lakeview Loan Servicing, LLC , its successors and assigns (hereinafter, "Creditor"), by and through its mortgage servicing agent Cenlar FSB, by and through counsel, and certifies to this Court that Yashica L. Spellman ("Debtor") has failed to comply with the Order entered by the Court on March 22, 2017, a copy of which is attached hereto as Exhibit "A", by failing to make timely payments in accordance with the Order. Pursuant to the Order, the automatic stay will terminate upon the filing of the Certificate of Non-Compliance.

Creditor hereby advises the Court that Debtor is delinquent for the May 1, 2017 payment and for all arrears that were due thereafter.

The Chapter 13 Trustee shall discontinue all payments to Creditor on its claim under the Chapter 13 plan filed by the Debtor(s).

WHEREFORE, upon the filing of the Certificate of Non-Compliance, the stay is terminated without further hearing.

Respectfully submitted,

/s/ Todd J. Ruchman
Todd J. Ruchman (6271827)
Keith Levy (6279243)
Sarah E. Barngrover (28840-64)

Adam B. Hall (0088234)
Edward H. Cahill (0088985)
Umair M. Malik (6304888)
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus OH 43216-5028
Telephone: 614-220-5611
Fax: 614-627-8181
Attorneys for Creditor
The case attorney for this file is Todd J.
Ruchman.
Contact email is
tjruchman@manleydeas.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Certificate of Non-Compliance was served on the parties listed below via e-mail notification:

U.S. Trustee, Patrick S. Layng, Office of the United States Trustee, Region 11, 219 S. Dearborn Street, Room 873, Chicago, IL 60604

Tom Vaughn, 55 E. Monroe Street, Suite 3850, Chicago, IL 60603

David H Cutler, Attorney for Yashica L. Spellman, 4131 Main St., Skokie, IL 60076, cutlerfilings@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on August 1, 2017:

Yashica L. Spellman, 1218 S Sawyer, Chicago, IL 60623

Yashica L. Spellman, 1218 S Sawyer Avenue, Chicago, IL 60623

_____/s/ Todd I. Ruchman_____

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION

In re:

Yashica L. Spellman

Debtor.

:
:
:
: Case No.: 16-27238
: Chapter 13
: Judge Carol A. Doyle
: * * * * *
:

**AGREED ORDER RESOLVING MOTION FOR RELIEF FROM STAY AS TO REAL
PROPERTY LOCATED AT
1218 S SAWYER AVENUE, CHICAGO, IL 60623**

This matter coming to be heard on the *Motion for Relief from Stay* (Dkt. #31) which was filed in this court by Lakeview Loan Servicing, LLC ("Movant"), by and through its mortgage servicing agent Cenlar FSB., Movant and Yashica L. Spellman ("Debtor"), by and through his attorneys have agreed to a course of action which will condition the continuation of the automatic stay upon certain provisions incorporated herein for the protection of Movant;

As of August 24, 2016, Debtor failed to make regular monthly mortgage payments to Movant and is currently in default for the month March 2017, incurring a total post-petition arrearage of \$2,090.41, which consists of 1 post-petition payment for March 1, 2017 at \$1,059.41 each, and attorney fees and costs of \$1,031.00. There is \$1.81 in suspense, which reduces the total post-petition arrearage to \$2,088.60.

IT IS HEREBY ORDERED:

1. In order to eliminate said post-petition delinquency, Movant must receive the following payments by the corresponding dates:
 - a. \$348.10 on or before April 20, 2017;
 - b. \$348.10 on or before May 20, 2017;
 - c. \$348.10 on or before June 20, 2017;
 - d. \$348.10 on or before July 20, 2017;
 - e. \$348.10 on or before August 20, 2017;
 - f. \$348.10 on or before September 20, 2017.
2. That Movant must receive the payments listed on Paragraph #1 on or before the corresponding date. If Movant fails to receive any one scheduled payment, the repayment

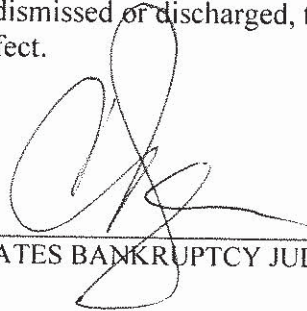
schedule is void and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after mailing notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing notice of same with the clerk of the court.

3. Upon completion of the repayment schedule listed in Paragraph #1 or tender of sufficient funds to bring the loan post-petition current, the Debtor must continue to make timely post-petition mortgage payments directly to Movant.
4. If Movant fails to receive two (2) post-petition monthly mortgage payments and if the Debtor fails to bring the loan post-petition current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing notice of the same with the clerk of the court.
5. If the Chapter 13 Trustee fails to receive two monthly plan payments and if the Debtor fails to bring his/her plan current within ten (10) calendar days after Movant mailed notification to the Debtor and his/her attorney, the stay shall be automatically terminated as to Movant, its principals, agents, successors and/or assigns as to the subject property, upon filing notice of same with the clerk of the court.
6. If Movant has to send a Notice of Default, the Debtor shall pay \$100.00 per notice, as attorney fees, in addition to whatever funds are needed to cure the default prior to the expiration of the allowed cure period.
7. If this bankruptcy proceeding is converted to Chapter 7, dismissed or discharged, this Order shall be terminated and have no further force or effect.

DATED: _____

3/21/17

ENTER: _____



UNITED STATES BANKRUPTCY JUDGE

Submitted By:

Todd J. Ruchman (6271827)
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus OH 43216-5028
614-220-5611; Fax 614-627-8181
Attorney for Movant